



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Summary CITY COUNCIL

*R. Steve Tumlin, Jr., Mayor*  
*Annette Paige Lewis, Ward 1*  
*Griffin "Grif" L. Chalfant, Jr., Ward 2*  
*Johnny Sinclair, Ward 3*  
*Irvan A. "Van" Pearlberg, Ward 4*  
*Rev. Anthony C. Coleman, Ward 5*  
*James W. King, Ward 6*  
*Philip M. Goldstein, Ward 7*

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Wednesday, January 13, 2010

7:00 PM

Council Chamber

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**20091461      Energy Challenge Winner**

First Semester Energy Challenge Winner as presented by Barry Echols, Board of Lights and Water and Mayor Steve Tumlin.

**Presented**

\*      **20100002      Regular Meeting - December 9, 2009**

Review and approval of the December 9, 2009 regular meeting minutes.

**Approved and Finalized**

\*      **20100003      Special Meeting - January 4, 2009**

Review and approval of the January 4, 2009 special meeting minutes.

**Approved and Finalized**

\*      **20100023      Municipal Judge**

Reappointment of Roger J. Rozen as the Marietta Municipal Chief Judge.

**Approved and Finalized**

\*      **20100048      Municipal Associate Judges**

Appointment of the following Municipal Associate Judges:

Robert F. Schnatmier

Nathan Wade

Nancy Ingram Jordan

**Approved and Finalized**

\*        **20100024        Municipal Associate Judges**

Reappointment of the following Municipal Associate Judges:

Lawrence E. Burke

Diane Busch

Mazi Mazloom

Joel C. Pugh

Stephen A. Yaklin

John Storey Morgan

Melinda Davis Taylor

**Approved and Finalized**

\*        **20100025        City Solicitor**

Reappointment of Robert I. Donovan as the City Solicitor to serve at the pleasure of and upon the concurrence of the Mayor and a majority of City Council.

**Approved and Finalized**

\*        **20100026        Associate City Solicitors**

Reappointment of the following Associate City Solicitors to serve at the pleasure of and upon the concurrence of the Mayor and a majority of City Council:

Steve Cook

Susan M. Miller

Michael B Syrop

Keith M. Olmert

Carmen Porreca

Thomas Griner

Jason Treadway

Latonia Patrice Hines

**Approved and Finalized**

\*        **20100027        City Manager**

Reappointment of William F. Bruton, Jr., as City Manager to serve at the pleasure of city council, and confirmation of his employment contract with the city.

**Approved and Finalized**

\*        **20100028        City Clerk**

Reappointment of Stephanie Guy as City Clerk to serve at the pleasure of city council.

**Approved and Finalized**

- \*        **20100029        City Attorney**
- Reappointment of Douglas R. Haynie, the firm of Haynie, Litchfield and Crane, as the City Attorney to serve at the pleasure of city council.
- Approved and Finalized**
- \*        **20100049        Marietta Welcome Center & Visitors Bureau Appointment**
- Reappointment of Philip M. Goldstein to the Marietta Welcome Center & Visitors Bureau for a two-year term.
- Approved and Finalized**
- \*        **20100050        Appointments to the Citizens Advisory Committee for Marietta Parks (CACMP)**
- Mayor Tumlin: Kim Gresh and Heath Garrett  
Annette Lewis: Betty Hunter and Alan Watson  
Grif Chalfant: Randy Weiner and Cindy Suto  
Johnny Sinclair: Larry Ceminsky and Mitch Hunter  
Van Pearlberg: Ford Bohannon and James Morris  
Rev. Anthony Coleman: Walter Moon and Melody Unger  
Jim King: Michelle Cooper Kelly and Michael Helenek  
Philip M. Goldstein: Deborah Huwaldt and Bill Hagemann
- Approved and Finalized**
- \*        **20100006        Cobb Housing, Inc. (CHI)**
- Appointment of Annette Lewis to to the Cobb Housing, Inc. (CHI) Board of Directors for a one year term expiring on January 2011.
- Approved and Finalized**
- \*        **20100022        Cobb Municipal Association 2010 Delegates**
- Appointment of Philip M. Goldstein and Grif Chalfant to serve as the 2010 voting delegates for the Cobb Municipal Association (CMA) business meetings.
- Approved and Finalized**
- \*        **20091466        Code Enforcement - 265 Windsor Drive**
- An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 265 Windsor Drive.  
Listed Owner: Martinez Miguel A. & Carballo M. Dela Paz  
Repeat Violation History: ( 2 ) previous cases since February 18, 2008.  
Certified mail receipt received December 9, 2009.  
Taxes paid: Yes  
PUBLIC HEARING REQUIRED
- Approved and Finalized**

\*        **20091483        Code Enforcement - 2265 Kingston Court**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 2265 Kingston Court.

Listed Owner: RM Kid One LLC/Registered Agent, Jay R. Patel

Repeat Violation History: None.

Certified mail receipt not received as of December 30, 2009.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

**Removed**

\*        **20091488        Code Enforcement - 430 Wellons Street**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 430 Wellons Street.

Listed Owner: Milton A. Hutchins & Henry Hutchins & Thomas L. Stone

Repeat Violation History: ( 2 ) previous cases since 2002.

Certified mail receipt received December 11, 2009; signed by Mary A. Stone.

Taxes paid: Unpaid; owes \$1,670.94

PUBLIC HEARING REQUIRED

**Approved and Finalized**

\*        **20091492        Code Enforcement - 1725 Spinks Drive**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 1725 Spinks Drive.

Listed Owner: Monir & Imad Monsour

Repeat Violation History: None

Certified mail receipt not received as of December 31, 2009.

Taxes paid: Yes

Ward: 7

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

**Tabled**

\*        **20091424        CDBG-R Stimulus Budget Account**

Approval of an Ordinance amending the Fiscal Year 2010 Housing Fund budget to receive and appropriate two CDBG-R stimulus bill Public Works Projects totaling \$290,000 funded by the US Department of Housing and Urban Development.

**Approved and Finalized**

\*        **20091447        Donation from Golden Living Center - Kennestone**

Approval of an Ordinance amending the Fiscal Year 2010 General Fund budget to receive and appropriate a donation from Golden Living Center at Kennestone for fire safety materials.

**Approved and Finalized**

\*        **20091401        Department of Justice Grant**

Approval of an Ordinance amending the Fiscal Year 2010 Grant Fund to receive and appropriate a grant from the Department of Justice for \$56,289 in order to purchase Automated External Defibrillators (AEDs).

**Approved and Finalized**

\*        **20091402        Department of Justice Grant**

Approval of an Ordinance amending the Fiscal Year 2010 Grant Fund to receive and appropriate a grant from the Department of Justice for \$499,100 for the school system to purchase cameras and other security items.

**Approved and Finalized**

\*        **20091426        Clarke Library**

Motion to advertise a Public Hearing for the adoption of the Clarke Library Preservation Plan.

**Approved and Finalized**

\*        **20091428        Brumby Hall**

Motion to advertise a Public Hearing for the adoption of the Brumby Hall Preservation Plan

**Approved and Finalized**

\*        **20091429        Marietta Waterworks Building**

Motion to advertise a Public Hearing for the adoption of the Marietta Waterworks Building Preservation Plan.

**Approved and Finalized**

**20091430 Kennesaw Avenue**

An ordinance to designate the Kennesaw Avenue Historic District.

PUBLIC HEARING REQUIRED

**Approved and Finalized**

\* **20100019 Citizens Advisory Committee for Marietta Parks (CACMP)**

Approval of a Resolution authorizing the extension of the Citizens Advisory Committee for Marietta Parks (CACMP), expiring January 13, 2011.

**Approved and Finalized**

\* **20091427 Civil Service Board Appointment**

Appointment of Francine Wilkins to the Civil Service Board (Post 1) for a term of three years, to fill an expiring term.

**Approved and Finalized**

\* **20091451 Franklin Road**

Motion approving temporary state route on Franklin Road for LCI Project Funding.

**Approved and Finalized**

\* **20100030 Acquisition of Right of Way**

Motion to approve a Resolution for the contract for acquisition of right-of-way Federal or State-Aid Project CM000-00BK-00(027).

**Approved and Finalized**

**20091423      V2009-26 Union Chapel United Methodist Church 264 Fowler Circle**

**V2009-26 UNION CHAPEL UNITED METHODIST CHURCH** request a variance for property located in Land Lot 11450, District 16, Parcel 2160, 2nd Section of Cobb County, Marietta, Georgia and being known as 264 Fowler Circle. Variance to reduce the number of trees in a required landscape strip from 12 to 3 along Fowler Circle; and from 11 to 3 along North Marietta Parkway. Ward 5.

Nothing contained herein shall grant to the applicant or any other party any vested right or other right to encroach upon, use or obtain any right in, to, over or through property or right-of-way owned by the City of Marietta. Notwithstanding same, in the event that any rights have been or shall be acquired, same may be revoked, rescinded and/or terminated at any time by the Marietta City Council, the City Manager or the Director of Public Works.

*Motion to approve the variance request as stipulated:*

*Variance to reduce the number of trees in a required landscape strip from 12 to 3 along Fowler Circle, with the stipulation that when the large Elm tree located in front of the church dies or is taken down, a tree that meets the City's requirements for street trees shall be planted in that location.*

*Nothing contained herein shall grant to the applicant or any other party any vested right or other right to encroach upon, use or obtain any right in, to, over or through property or right-of-way owned by the City of Marietta. Notwithstanding same, in the event that any rights have been or shall be acquired, same may be revoked, rescinded and/or terminated at any time by the Marietta City Council, the City Manager or the Director of Public Works.*

**Approved as Stipulated**

**\*      20100021      Administrative Assistant to the Mayor**

Motion to approve the Employment Agreement for the Administrative Assistant to the Mayor.

**Approved and Finalized**

**\*      20100004      BLW Actions of January 11, 2010**

Review and approval of the January 11, 2010 actions and minutes of the Marietta Board of Lights and Water.

**Approved and Finalized**